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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF CALIFORNIA

JOSE DE LA PAZ SORTO, on behalf of
himself and similarly situated others
Plaintiff,

vs.

HANNEGAN, BENSON & CO., INC. doing
business as C.B. HANNEGAN's, CHRIS
BENSON, Does 1-10 ,
Defendants

Case No.: C08-189 HRL

MOTION TO CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE &
[PROPOSED] ORDER

Plaintiff, through his counsel, hereby moves to continue the Initial Case Management Conference currently set on June 10, 2008 as follows:

1. Plaintiff filed the Complaint on January 11, 2008.
2. Defendants were served on February 5, 2008. See Docket # 6, 7 & 8.
3. At one point after the effectuation of service, I was contacted by a person who claimed to be the attorney for Defendants. However, no appearance was made on behalf of Defendants.
4. Plaintiff has filed the First Amended Complaint, which will be served upon Defendants today. Should Defendants still fail to respond to the First Amended Complaint,

MOTION TO CONTINUE INITIAL CMC
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1 Plaintiff will seek a default against Defendants for \$100,000 as set forth in the First Amended
2 Complaint.

3 5. Accordingly, Plaintiff requests a 35 day continuance for Defendants to respond or
4 for default proceedings.

5 I declare under the penalty of perjury under the laws of the United States that the
6 foregoing is true and accurate.

7
8 Dated: June 5, 2008

By: /s/ ADAM WANG
Adam Wang
Attorney for Plaintiff

9
10
11 [PROPOSED] ORDER

12
13 IT IS HEREBY ORDERED that the Initial Case Management Conference currently
14 scheduled on June 10, 2008 be continued to July 15, 2008.

15 IT IS SO ORDERED.

16
17 Dated: _____

18 _____
Howard R. Lloyd
United States Magistrate Judge